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O R 132054Z JUL 79
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 1489
INFO AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY LA PAZ
AMEMBASSY MONTEVIDEO
USMISSION USUN NEW YORK
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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

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[REDACTED] SECTION 1 OF 3 BUENOS AIRES 5670

E.O. 12065: XDS-4 7/12/99 (CHAPLIN, MAXWELL) OR-M
TAGS: SHUM AR
SUBJ: [REDACTED] HUMAN RIGHTS SUMMARY - JULY 12, 1979

REF: (A) BUENOS AIRES 5458; (B) BUENOS AIRES 5307

1. [REDACTED] INTRODUCTION AND SUMMARY: A BIZARRE NON-
EVENT WAS THIS WEEK'S MOST INTERESTING HUMAN RIGHTS
HAPPENING: FRIDAY AFTERNOON'S "LA RAZON" (JULY 6)
AND SEVERAL DAILIES ON SATURDAY MORNING (INCLUDING
"LA NACION", WHICH ACCORDING TO SUAREZ MASON HIMSELF
STUDIOUSLY AVOIDS MENTIONING THE GENERAL) REPORTED
THAT CHIEF OF THE ARMY GENERAL STAFF SUAREZ MASON
HAD DELIVERED A HARD-HITTING SPEECH OUTLINING THE
COUNTRY'S "NEW ANTI-SUBVERSION STRATEGY" BEFORE A
GROUP OF ARGENTINE AND FOREIGN DIPLOMATS. THE
FOREIGN MINISTRY'S "FOREIGN SERVICE INSTITUTE" WAS
CITED AS SCENE OF THE SPEECH, AT WHICH THE GENERAL

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WAS ALLEGED TO HAVE WARNED THAT SUBVERSIVES WERE STILL
PERSISTENT AND THAT THEY AND THEIR SUPPORTERS AND

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FRIENDS OF SUPPORTERS WERE TO BE FOUND VIRTUALLY EVERYWHERE IN THE SOCIETY--ALL PART OF THE MARXIST-COMMUNIST WORLD PLOT. ON SATURDAY THE GENERAL DENIED THE SPEECH IN A PRIVATE CONVERSATION WITH AMBASSADOR CASTRO (ALTHOUGH NOT THE SENTIMENTS, WHICH HE ADMITTED FINDING CONCERNIAL), AND ON SUNDAY (JULY 8) THE NEWSPAPERS PRINTED OFFICIAL DENIALS. ACCORDING TO THE OFFICIAL NEWS AGENCY TELAM'S ORIGINAL STORY THE SUAREZ MASON "REVELATIONS" WERE TAKEN FROM A DOCUMENT HE PRESENTED TO THE CABINET ABOUT ONE MONTH AGO--AN EVENT PUBLISHED AT THE TIME AND NOT AFTERWARDS DENIED. THE "FSI" STORY APPARENTLY GREW FROM A TALK GIVEN BY TWO ARMY COLONELS, REPORTEDLY FROM SUAREZ MASON'S STAFF, WHO DID IN FACT GIVE A "SECURITY LECTURE" AT THE FOREIGN SERVICE TRAINING FACILITY. THERE WAS LITTLE REPORTABLE NEWS IN OTHER FRONTS. END INTRODUCTION AND SUMMARY.

2. [REDACTED] PERMANENT ASSEMBLY MEMBER CONSULTS WITH INTER-AMERICAN COMMISSION FOR HUMAN RIGHTS ----- PERMANENT ASSEMBLY MEMBER EMILIO MIGNONE DESCRIBED TOEEMBOFF JULY 6 HIS JUNE 18-JUNE 22 CONSULTATIONS WITH THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS. MIGNONE'S PRINCIPAL CONTACT WAS EDMUNDO VARGAS CARRENO, THE COMMISSION'S EXECUTIVE SECRETARY, ALTHOUGH HE ALSO WAS ABLE TO TALK WITH VARGAS' PRINCIPAL ASSISTANT PAZ BARNICA (A HONDURAN) AND WITH US CITIZEN STAFF MEMBER CHARLES MOYER. MIGNONE HAD ONE FORMAL, TWO-HOUR SESSION WITH ALL SIX COMMISSION MEMBERS. (MIGNONE EXPLAINED THAT THE MEXICAN COMMISSION MEMBER HAD RESIGNED SHORTLY AFTER HIS ELECTION AND WILL NOT BE [REDACTED]
[REDACTED]

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REPLACED UNTIL THE OAS MEETS IN OCTOBER IN LA PAZ.) PAZ BARNICA PLANS TO VISIT ARGENTINA LATER THIS MONTH TO MAKE HOTEL AND OTHER ARRANGEMENTS FOR THE COMMISSION'S SEPTEMBER ARRIVAL, ALTHOUGH PAZ BARNICA WANTS TO KEEP A LOW PROFILE AND NEITHER ENCOUNTER A FLOOD OF "DENUNCIAS" NOR MEET WITH POLICY LEVEL ARGENTINE OFFICIALS. ABOUT 30 COMMISSION MEMBERS AND STAFFERS WILL COME TO BUENOS AIRES IN SEPTEMBER-- ALL BUT A SKELETON STAFF THAT WILL REMAIN IN WASHINGTON. (THE COMMISSION HAS DECIDED AS A MATTER OF POLICY NOT TO HIRE A LOCAL STAFF, MIGNONE SAID.)

MIGNONE REPORTED THAT AS OF JUNE 22 THE

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COMMISSION HAD RECEIVED SOME 2,900 "DENUNCIAS" REGARDING APPROXIMATELY 7,000 PERSONS, WHO IN SOME WAY HAD BEEN VICTIMS OF REPRESSION-DISAPPEARED, IMPRISONED OR TORTURED. THE COMMISSION, IN ITS ATTEMPT TO DO AS MUCH AS POSSIBLE IN ADVANCE, ASKED THE ARGENTINE GOVERNMENT TO MAKE PRELIMINARY INVESTIGATIONS OF THESE COMPLAINTS, BUT HAS RECEIVED NO RESPONSES SINCE LAST SEPTEMBER. THE COMMISSION HAS ALSO REQUESTED THE NAMES OF ALL PERSONS FOR WHOM "DENUNCIAS" HAVE BEEN REGISTERED WITH MINISTRY OF INTERIOR, AND OF ALL PERSONS FOR HABEAS CORPUS WRITS HAVE BEEN FILED IN THE COURTS SYSTEM.

ALSO IN ITS EFFORTS TO DO AS MUCH WORK IN ADVANCE AS POSSIBLE, EVEN TO PREPARING PARTS OF ITS REPORTS, COMMISSION STAFFERS ARE PREPARING A LEGAL BRIEF ON ARGENTINA'S LAWS AND CONSTITUTIONAL PROVISIONS REGARDING STATE OF SIEGE AND THE REPRESSION OF TERRORISM/SUBVERSION. ALTHOUGH IT PROBABLY WILL NOT BE POSSIBLE TO COMPLETE THE FULL COMMISSION REPORT AND ALLOW THE REQUIRED THREE WEEKS FOR STUDY AND A REPLY BY THE ARGENTINE GOVERNMENT BEFORE THE MEETING OF THE OAS IN LA PAZ IN OCTOBER, EXECUTIVE SECRETARY VARGAS MENTIONED TO MIGNONE THE POSSIBILITY OF THERE BEING AN "INFORMAL DRAFT" WHICH COULD BE CIRCULATED AT THAT TIME.

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THE COMMISSION IS TRYING TO FIND OTHER MEANS OF SAVING TIME DURING ITS RELATIVE SHORT STAY HERE IN BUENOS AIRES. IT PLANS TO PRINT NOTICES IN LOCAL NEWSPAPERS IN ADVANCE OF ITS VISIT THAT MEMBERS OF THE PUBLIC SEEKING INTERVIEWS CAN BE RECEIVED DURING CERTAIN HOURS, BUT BEFORE APPEARING THEY SHOULD FILL OUT QUESTIONNAIRES REGARDING THEIR COMPLAINTS. THE QUESTIONNAIRES--COMMISSION MEMBERS HOPE--WILL BE PART OF THE NEWSPAPER ANNOUNCEMENT. USING THE QUESTIONNAIRES SHOULD REDUCE INTERVIEWS TO A FORMALITY OF ACCEPTING WRITTEN "DENUNCIAS".

THE PERMANENT ASSEMBLY MEANWHILE IS WORKING ON A LIST OF 300 "BEST CASES"--THOSE WITH PARTICIPATION BY "IDENTIFIABLE" MEMBERS OF THE SECURITY FORCES--FOR THE COMMISSION TO STUDY "ON THE GROUND" HERE.

ONE OF THE THINGS THAT MIGNONE SUGGESTED THAT THE COMMISSION DO BEFORE ARRIVING WAS ISSUE A STATEMENT EXPLAINING THE VERY REAL DIFFICULTIES MEMBERS OF THE [REDACTED]

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COMMISSION HAD IN FINDING A TIME WHEN ALL OF THEM COULD COME TO BUENOS AIRES--TO DISPEL SUGGESTIONS IN HUMAN RIGHTS CIRCLES HERE THAT ARGENTINE "MACHINATIONS" WERE THE CAUSE OF OF THE VISIT'S POSTPONEMENT.

3. [REDACTED] REARRESTS -----

ONE CASE HAS BEEN REPORTED TO THE EMBASSY OF A PERSON RELEASED UNDER THE JUNE LIST OF 190 DELETED FROM THE PEN WHO WAS SUBSEQUENTLY REARRESTED. CARLOS RAUL ARANDA, ACCORDING TO HIS SISTER WHO VISITED THE EMBASSY WAS AT LIBERTY FOR APPROXIMATELY ONE WEEK BEFORE BEING REARRESTED BY MILITARY AUTHORITIES AND TAKEN TO RESISTENCIA FOR "FURTHER IDENTIFICATION AND INQUIRY ABOUT HIS RESIDENCE". ARANDA HAD RECEIVED A RIGHT OF OPTION CERTIFICATE FROM THE EMBASSY, BUT HIS OPTION PETITION HAD BEEN DENIED ABOUT TEN DAYS BEFORE IT WAS ANNOUNCED HE WAS TO BE SET FREE.

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4. [REDACTED] MORE ON THE TIMERMAN CASE -----
"LA NACION" REPORTED ON JULY 12 THAT WHILE SPECULATION
ABOUNDS THAT THE MILITARY JUNTA MIGHT RELEASE TIMERMAN,
THERE ARE SOME IMPORTANT GAPS IN THE REASONING. LA
NACION OPINES THAT NO ACTION WILL BE TAKEN UNTIL
OCTOBER OR NOVEMBER, IN VIEW OF THE FACT THAT TOP ARMY
BRASS DURING A MEETING IN MAY VOTED TO OPPOSE HIS
RELEASE. NACION MENTIONS ONLY AS A POSSIBILITY THAT
TIMERMAN COULD BE RELEASED IN CONJUNCTION WITH THE
VISIT OF THE INTER-AMERICAN COMMISSION FOR HUMAN
RIGHTS IN SEPTEMBER. TIMERMAN IS PRESENTLY APPEALING
THE GOVERNMENT'S DECISION TO CONFISCATE SOME OF HIS
ASSETS. "IT WILL THEN BE INTERESTING TO SEE WHAT WILL
BE SAID ABOUT THIS IN THE FEDERAL COURT, WHICH IS
THE CORRECT TRIBUNAL THAT INTERVENES IN SUCH CASES,"
[REDACTED]
[REDACTED]

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NACION COMMENTED.

5. [REDACTED] FOR WASHINGTON AREA RESIDENTS WHO MISSED IT:
BA HERALD EDITOR APPEARS ON MEET THE PRESS -----
BUENOS AIRES HERALD EDITOR ROBERT COX AND MRS. HELENA
AROCENA (WHO LOST A SON) APPEARED ON "MEET THE PRESS"
SUNDAY, JULY 8. COX DISCUSSED DISAPPEARANCES IN
ARGENTINA, DOWN FROM 50 TO 60 A MONTH IN 1978 TO 25
IN THE FIRST SIX MONTHS OF 1979. HE TALKED OF THE
COUNTER-TERRORISM IN RESPONSE TO A SITUATION HE LIKENED
TO THE FEELING OF TERROR EVOKED BY THE ASSASSINATIONS
OF MARTIN LUTHER KING AND BOTH THE KENNEDYS--EXCEPT
THAT HERE ASSASSINATIONS RAN AT MAYBE THREE A DAY--
AND SAID THAT THAT ATMOSPHERE OF TERROR CONTINUED WELL
INTO 1978. COX SAID THAT WHAT HAPPENS IN A COUNTRY
IS USUALLY OF INTEREST ONLY TO THOSE DIRECTLY AFFECTED.
THE AVERAGE ARGENTINE REACTION TO HUMAN RIGHTS
CRITICISM FROM ABROAD, HE SAID, WAS A PATRIOTIC RE-
SPONSE--TO DEFEND ARGENTINA RIGHT OR WRONG WHEN UNDER
ATTACK, EVEN AMONG PERSONS
WITH SERIOUS REFERRATIONS
ABOUT THIS GOVERNMENT. TO ONE QUESTION COX REPLIED
THAT "OUT OF CONTROL GROUPS" WERE RESPONSIBLE FOR
DISAPPEARANCES. AT ANOTHER POINT HE POINTED TO A
BETTER WORKING COURTS SYSTEM AS CREATING SOME OPTIMISM.

MRS. AROCENA FOR THE MOST PART DESCRIBED THE
DISAPPEARANCE OF HER SON, MARCOS, A WELL-KNOWN
ARGENTINE WRITER WHO WAS ABDUCTED ONE MORNING AT 5 AM

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NEARLY THREE YEARS AGO. SHE SAID THAT SHE HAD PUR-
SUED LOCATING HIM THROUGH THE VARIOUS MINISTRIES, BUT
THAT AT THE TIME OF HIS DISAPPEARANCE LAWYERS AND
COURTS WERE NOT TAKING SUCH CASES. MR. COX, IN
RESPONDING TO A QUESTION ABOUT THE RULE OF LAW,
POINTED OUT THAT THE HABEAS CORPUS PROCESS WAS
SIMILAR TO THAT IN THE UNITED STATES--A METHOD OF LOCAT-
ING A PERSON BEING HELD, RATHER THAN AN INVESTIGATIVE
[REDACTED]
[REDACTED]

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PROCESS. HE SAID THAT JUDGES, HOWEVER, WERE TAKING
THEIR CUE FROM A SUPREME COURT JUDGEMENT AND BEGINNING
TO CALL AS MANY WITNESSES AS POSSIBLE TO GET AT THE
FACTS OF DISAPPEARANCES. MR. COX SAID, THAT "TO GET
BACK TO THE RULE OF LAW, IT IS TERRIBLY NECESSARY
THAT THE JUDGES START TO ACT AS JUDGES."

IN RESPONSE TO A QUESTION ABOUT WHAT THE AMERICAN
PEOPLE COULD DO ABOUT THE HUMAN RIGHTS SITUATION IN
ARGENTINA, COX SPOKE OF FACING THE HUMAN RIGHTS SITUATION
NOT AS A POLITICAL ISSUE BUT AS A HUMANITARIAN
ONE, AND OF APPEALING TO THE GOODNESS IN THE ARGENTINE
PEOPLE TO RESOLVE THE PROBLEM.

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6. [REDACTED] JUDGE SEEKING INFORMATION ON DISAPPEARED -----
JUDGE OLIVERI (SEE REF B, PARA 5) IS REPORTED ACTIVELY
INVESTIGATING THE 1977 DISAPPEARANCE OF ALEJANDRO
DANIEL FERRARI, A 29 YEAR OLD ARGENTINE DOCTOR WHO
DISAPPEARED (EMBASSY HUMAN RIGHTS FILES CONTAIN HIS
NAME) ON JULY 22, 1977 FROM THE POLICLINICO FERRO-
VIARIO CENTRAL. THE STORY WAS CARRIED IN THREE OF
THE SPANISH LANGUAGE BUENOS AIRES NEWSPAPERS ON
JULY 6. EMBASSY COMMENT: THIS IS THE SECOND CASE
IN A SHORT PERIOD OF TIME IN WHICH FEDERAL JUDGE
OLIVERI HAS RENEWED EFFORTS TO LOOK INTO THE
DISAPPEARANCE OF A DOCTOR. END EMBASSY COMMENT.

7. [REDACTED] MASS FOR MISSING HELD ON JULY 8 -----
THE JULY 9 BUENOS AIRES HERALD CARRIED A SHORT NEWS
ITEM THAT THE BISHOP OF QUILMES, MONSIGNOR JORGE NOVAK
CELEBRATED A MASS FOR MISSING PEOPLE ON JULY 8 IN
BERAZATEGUI (A SUBURB OF BUENOS AIRES). MOTHERS AND
[REDACTED]
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RELATIVES OF MISSING PERSONS ATTENDED THE SPECIAL
AFTERNOON MASS, AT WHICH MONSIGNOR NOVAK "REFERRED
TO THE PROBLEM OF MISSING PEOPLE IN ARGENTINA IN
HIS SERMON." COMMENT: THE BISHOP OF QUILMES HAS
BEEN ACTIVE IN THE HUMAN RIGHTS MOVEMENT FROM THE
BEGINNING. END COMMENT.

8. [REDACTED] SECURITY MEASURES IN SANTA FE YIELD SUB-
VERSIVE SUSPECT -----
"LA PRENSA" AND "EL DIA" CARRIED STORIES ON JULY
10 THAT THE SECURITY FORCES IN SANTA FE DURING THE
PAST 24 HOURS HAD TIGHTENED SECURITY MEASURES AND
SURVEILLANCE BECAUSE OF A BOMBING AT THE LOCAL
FEDERAL COURTHOUSE AND AN INTERRUPTION OF THE
TRANSMISSION OF CHANNEL 13 IN THAT CITY (REPORTED
REF B, APRAS 15 AND 12). THEY ARRESTED SERGIO
ORLANDO RIGOLI, A 22 YEAR OLD RESIDENT OF THAT CITY,
WHO WAS DRIVING A MOTORCYCLE AND ALLEGEDLY HAD IN
HIS POSSESSION A BRIEFCASE FULL OF "MNOTONERO
SUBVERSIVE LITERATURE" DESTINED FOR DISTRIBUTION IN
A SLUM ("VILLA DE EMERGENCIA"). THE EL DIA STORY

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FURTHER RELATED THAT RIGOLI, HAVING BEEN ARRESTED IN THE MILITARY SECTOR OF THE CITY WOULD BE HELD UNDER THAT AUTHORITY.

9. [REDACTED] NEILSON ON THE CLAMOR -----
EARLY IN THE WEEK, HERALD COLUMNIST JAMES NEILSON MENTIONED "GROWING UNEASE ABOUT THE FATE OF THE 'MISSING' AND THE LEGAL STATUS OF THE MANY PEOPLE BEING HELD IN JAIL WITHOUT CHARGES." HE SAW A PROMISING SIGN IN THE FACT THAT "MEMBERS OF THE GOVERNMENT AND SENIOR REPRESENTATIVES ARE REFERRING TO THE MATTER WITH INCREASING FREQUENCY AND, WHAT
[REDACTED]
[REDACTED]

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IS MORE, THEY ARE BEING ASKED ON OCCASION WHAT THEIR OFTEN CRYPTIC WORDS MEAN."

NEILSON ALSO POINTED OUT THAT "ONE OF THE MANY DISADVANTAGES OF GOVERNMENT INACTION ON HUMAN RIGHTS IS THAT IT GIVES AN OPPORTUNITY TO CYNICAL INDIVIDUALS LIKE THE COMMUNISTS TO EXPLOIT A GREAT TRAGEDY FOR THEIR OWN SQUALID ENDS."

10. [REDACTED] PRESS REPORTS DURING THE PAST WEEK DESCRIBED INTERIOR MINISTER HARGUINDEGUY LASHING OUT AT "PEOPLE WHO TODAY POSE AS DEFENDERS OF HUMAN RIGHTS, BUT UNTIL QUITE RECENTLY WERE CRIMINALS IN TERRORIST BANDS... AND ARE CONDUCTING A CAMPAIGN FROM ABROAD SO THAT A BUNCH OF USEFUL IDIOTS PICK UP WHAT THEY SAY AND TRY TO USE IT AGAINST THE ARGENTINE PEOPLE." CASTRO
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